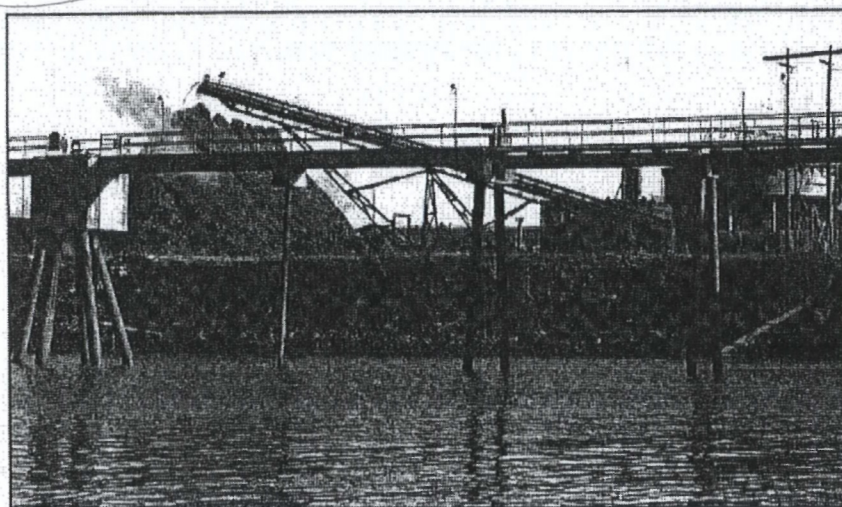


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BRIAN J. BACK THE BUSINESS JOURNAL

Many riverside employers who may have polluted the Willamette are balking at paying to clean it up. But one of the major polluters is the city itself—and it still dumps waste into the water.

## *Army Corps may be enlisted in struggle to cleanse river*

BY BRIAN J. BACK  
Business Journal staff writer

Although the Portland Harbor was designated a federal Superfund site so that polluting businesses would be forced to pay for decades of environmental neglect, evidence increasingly suggests that taxpayers could foot most of the bill.

According to one source close to the Superfund process, it is likely that only 25 percent of the harbor's contamination will be successfully traced back to a source. Even then, sources not willing to admit responsibility could tie matters up in court. Without businesses and bureaucracies to hold accountable, the cash-strapped U.S. Environmental Protection Agency will find its cleanup efforts sorely underfunded.

The Port of Portland is now studying the feasibility of involving the U.S. Army Corps of Engineers in part of the river's restoration, the cost of which is as-yet unknown. Although the Corps mainly involves itself in

dredging rivers, filling wetlands and building dams, its funding also allows for restoration projects. If the Corps decides to take part in Willamette River cleanup efforts, taxpayers will be filling in a significant chunk of the Superfund costs.

In December 2000, after the U.S. EPA tagged the Portland Harbor as a Superfund, nearly 70 riverside property owners were asked to sign on as "potentially responsible parties." To date, signatures have come from only nine businesses and bureaucracies, including NW Natural, ~~Cascade General~~, Chevron USA Inc., Union Pacific Railroad Co., Time Oil Co., the Port of Portland and the city of Portland.

Other large industrial businesses, including Schnitzer Steel and Oregon Steel, appear to be holding out. If non-cooperating parties are eventually deemed liable, they could be pursued in court. In the meantime, there are numerous reasons why riverfront property

See CLEAN-UP, Page 36

shelly Strom - covers Port.

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BRIAN J. BACK THE BUSINESS JOURNAL

Many interests, both business and otherwise, have contributed to the polluting of the Willamette River. But what's still unknown is who will pay to clean it up, and when the work will begin.

## Clean-up: Process looks murkier than the river

### FROM PAGE 3

owners are strategizing with caution.

The most obvious reason for reluctance is that much of the pollution is decades old, and tracing the toxins back to its legitimate source is both expensive and uncertain. The Superfund site includes a six-mile stretch of the Willamette River between Swan Island and the southern tip of Sauvie Island. Over the years, heavy marine traffic has bounced from terminal to terminal. Properties have changed hands.

Some property owners wonder why they must address pollution while the city of Portland consistently contaminates the Willamette River with its combined sewage overflow system. Although the city has been in violation of the Clean Water Act for years, it has sought delays in addressing the flawed system, which pours raw sewage directly into the river during heavy rains (a phenomenon familiar to Portland).

Still others contend the Oregon Division of State Lands, which claims ownership of waterways on behalf of the public, should be held liable. Some property owners argue that if the state insists it owns the river and pushes for economic and industrial activity on it, then it should also shoulder the ramifications. After all, the public has for decades benefited from the economic activity, according to the argument.

Still, the majority of Willamette River contamination is located near the shoreline, according to Travis Williams, executive director of the nonprofit Willamette Riverkeeper, which bills itself as the "eyes, ears and voice of the Willamette River."

led to the Superfund listing include hazardous releases of industrial and municipal waste, petroleum product operations, marine construction, wood treating, agriculture, chemical production, shipping and other transportation-related operations.

Joan Snyder, a Steel Rives attorney representing Oregon Steel, said Oregon Steel has not signed the EPA's consent order because its property is not located in the initial study area.

"Oregon Steel is downriver and it's not clear that it will impact them," she said. "If that changes, I'm sure they would reconsider."

A spokesperson for Schnitzer Steel did

The potential for the gutted Ross Island lagoon to become a disposal site for the toxins is still being seriously considered, according to observers. As the Portland Harbor Superfund investigation gets underway, officials upriver are simultaneously exploring how Ross Island Sand & Gravel will satisfy a requirement to refill the lagoon after 75 years of mining.

Given the Superfund's troubling financial picture, some observers believe Ross Island could prove a sound disposal solution. RIS&G company officials have insisted, however, that they won't accept highly contaminated toxins. Proponents of the idea also fear the public backlash would be too overwhelming to see Ross Island disposal through. A more likely scenario, they say, would be to dispose of the toxins downriver and cap the contaminated soil with clean soil.

Williams says the Willamette Riverkeeper has been collecting data and attempting to involve more Portlanders in the Superfund process. Analyses by the group have shown that eating fish contaminated by toxins present in the Portland Harbor can increase the likelihood of cancer, immune deficiencies and other risks associated with long-term consumption.

The Riverkeeper, which has received funding from the Port of Portland, hosted a public meeting Jan. 31 in North Portland. At the meeting, copies of an informational booklet called the "Citizen's Guide to the Willamette River Portland Harbor Cleanup" were circulated. Information on the booklet can be obtained at [www.willamette-riverkeeper.org](http://www.willamette-riverkeeper.org). □

Several Willamette River property owners have formed a coalition called the Lower Willamette Group, which is represented by Steel River lawyers. Some members of the group have sought to keep their involvement private, and some have not signed the EPA's consent order.

The Superfund process is still in its infancy. According to Snyder, the Lower Willamette Group has agreed to pay \$10 million to \$20 million over the next three years to investigate levels of contaminants—such as heavy metals, arsenic, mercury, dioxins, DDT and other chemicals—and then craft a few alternative cleanup plans. Actual completion of a cleanup plan could take a decade.